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LEVI STRAUSS & CO.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LEVI STRAUSS & CO.,

Plaintiff,

v.

FOX HOLLOW APPAREL GROUP, LLC, et
al.

Defendants.

Case No. C-06-3765 SC

**NOTICE OF VOLUNTARY
DISMISSAL**

Pursuant to Federal Rule of Civil Procedure 41(a)(1), plaintiff Levi Strauss & Co. voluntarily dismisses this action against defendant Maxx Accessories, Inc. with all parties to bear their own costs and fees. As of this date, defendant Maxx Accessories, Inc. has not filed an answer or otherwise responded to the complaint.

DATED: February 22, 2007

Respectfully submitted,



By: /s/ Gregory S. Gilchrist
Gregory S. Gilchrist
TOWNSEND AND TOWNSEND AND CREW LLP
Counsel for Plaintiff
LEVI STRAUSS & CO.

NOTICE OF VOLUNTARY DISMISSAL

*Levi Strauss & Co. v. Fox Hollow Apparel Group
LLC, et al.*
Case No. C 06 3765 SC

PROOF OF SERVICE

I, Carol Petrich, am a citizen of the United States and an employee in the City and County of San Francisco, State of California. I am over the age of eighteen and not a party to the within action. My business address is Two Embarcadero Center, 8th Floor, San Francisco, CA 94111.

On February 22, 2007, I served the following document(s): **NOTICE OF VOLUNTARY DISMISSAL** on the parties in this action

- (XX) By Mail: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at San Francisco, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit. CCP §1013(a); Fed. Rule Civ. Proc. 5(b).
- () By Overnight Courier: I am "readily familiar" with the firm's practice of collection and processing correspondence for Overnight Courier. Under that practice it would be deposited with said Overnight Courier on that same day with postage thereon fully prepaid at San Francisco, California, in the ordinary course of business. CCP §1013(c).
- () By Personal Service by Messenger: I caused such documents to be placed in an envelope and given to an employee of a courier service with instructions to hand deliver such envelope to the below-referenced address on February 22, 2007. Fed. Rule Civ. Proc. 5(b).
- () By Facsimile: On the same date the document was also transmitted by facsimile transmission from facsimile number (415) 576-0300 to the following persons at the fax numbers indicated below:

| | |
|---|---|
| Kenneth R. Schachter, Esq. Silverberg Stonehill Goldsmith & Haber, P.C. 111 West 40th Street New York, NY 10019 Facsimile: (212) 391-4556 Attorneys for Defendant Turn On Products, Inc. | Young Kwon, Esq. Forever 21, Inc. 2001 S. Alameda Street Los Angeles, CA 90058 Facsimile: 213-741-5161 Attorneys for Defendant Forever 21, Inc. |
| Murray L. Skala, Esq. Larry Miller, Esq. Feder, Kaszovitz, Isaacson, Weber, Skala, Bass & Rhine LLP International Plaza 750 Lexington Avenue New York, NY 10022-1200 Facsimile: 212-888-7776 Attorneys for Defendant Industrial Cotton, Inc. | Andrew S. Langsam, Esq. Levisohn, Berger & Langsam, LLP 805 Third Avenue New York, NY 10022 Facsimile: 212-486-0323 Attorneys for Defendant Maxx Accessories, Inc. |

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on February 22, 2007, at San Francisco, California.

/s/ Carol Petrich
Carol Petrich

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